

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MARTIN MARTINEZ, JR.,

Petitioner,

v.

CIV 10-0260 RB/KBM

CALVIN D. MORTON, Warden of
the Regional Correctional Center and,
RICHARD ASPENWIND, as Lieutenant
Governor for Taos Pueblo,

Respondents.

ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND
RECOMMENDED DISPOSITION

The Magistrate Judge filed her Proposed Findings and Recommended Disposition ("PFRD") on August 3, 2010. *See Doc. 17*. The proposed findings notify them that failure to file objections within the applicable time frame waives appellate review. Although counsel have not filed any objections, the attorney for Petitioner has filed a notice that he became aware after the PFRD was filed that Petitioner was conditionally released by an Order by a Taos Pueblo Tribal Court order entered July 20, 2010. *Doc. 18* at 1.

Wherefore,

IT IS HEREBY ORDERED AS FOLLOWS:

1. The Magistrate Judge's Proposed Findings and Recommended Disposition (*Doc. 17*) is ADOPTED;
2. The habeas petition be denied and this action dismissed with prejudice; and
3. A final order enter concurrently herewith.


UNITED STATES DISTRICT JUDGE